

### **REMARKS**

Claims 1-44 remain pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

#### **Objection of claims 42-44**

The Office Action objected to claims 42-44 as allegedly lacking antecedent basis for "The computer useable information storage medium".

Claims 42-44 are amended herein to correct any lack of antecedent basis. The Applicants respectfully request the objection of claims 42-44 be withdrawn.

#### **35 USC 101 Rejection of claims 41-44**

The Office Action rejected claims 41-44 under 35 USC 101. In particular, the Office Action alleged that "by deleting a lot of stuffs from the preamble of claim 41, the phrase of 'computer readable program code' raises the 35 USC § 101 issue." The Applicants respectfully disagree.

35 USC §101 reads:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title

Claim 41 recites a communications system storing computer readable program code, the computer readable program code performing the recited steps. Thus, a communications system is a 35 USC enumerated category, i.e., a machine. Moreover, claims 41-44 are NOT directed to abstract ideas, reciting application to a communication system using servers, a remote monitor client, a web server and a protocol gateway

Applicants respectfully request the rejection of claims 41-44 under 35 USC §101 be withdrawn.

**Claims 1-44 over Jones in view of Danarski and ON**

In the Office Action, claims 1-44 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,490,256 to Jones et al. ("Jones") in view of Official Notice, and further in view of U.S. Patent No. 6,272,129 to Danarski et al. ("Danarski"). The Applicants respectfully traverse the rejection.

Claims 1-44 recite publishing and receiving a list of available servers to and at a remote monitor client, and providing and transmitting information about selected servers from a remote monitoring client to a protocol gateway.

Jones is relied on to disclose wireless routers including a wireless network interface, a wireless transmitter card and a wireless receiver (See Office Action, page 2). However, the Office Action relies on Official Notice and Danarski to allegedly almost all of the claimed features. The Applicants respectfully disagree.

The Office Action relies on Official Notice to allegedly disclose publishing a list of available servers to remote monitor clients and providing dynamically generated information from a remote monitoring client to a protocol gateway (See Office Action, page 3). The Examiner is respectfully requested to **support** for the Examiner's allegation of Official Notice that such is well known in the art at the time of the invention.

Moreover, the Examiner alleges the broadcasting feature of a wireless router to other wireless devices equates to publishing a list of available servers to remote monitor clients. However, a wireless router broadcasts a **name of a wireless network** to wireless devices **NOT** a list of available servers, as recited by claims 1-44.

Moreover, not just any wireless devices attached to a wireless network is a server, a term of art. Thus, Official Notice fails to disclose or suggest publishing and receiving a list of available servers to and at a remote monitor client, as recited by claims 1-44.

The Office Action relies on Official Notice to disclose providing dynamically generated information from a remote monitoring client to a protocol gateway (See Office Action, page 3). The Examiner is respectfully requested to **support** for the Examiner's allegation of Official Notice that such is well known in the art at the time of the invention.

The Examiner alleges establishing communication between a client and a network interface or gateway equates to providing and transmitting information about selected servers from a remote monitoring client to a protocol gateway (See Office Action, page 3). However, by the Examiner own admission, establishing communication between a client and a network interface or gateway **fails** to disclose providing information about selected servers, i.e., fails to disclose or suggest providing and transmitting information about selected servers from a remote monitoring client to a protocol gateway, as recited by claims 1-44.

Moreover, a protocol gateway is a **term of art**. By the Examiner own admission Official Notice fails to disclose or suggest providing and transmitting information about selected servers from a remote monitoring client to a protocol gateway, as recited by claims 1-44.

Moreover, the broadest reasonable interpretation cannot be inconsistent with the specification, which illustrates the claimed protocol gateway (see, e.g., Figure 1A). Hence, "claims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them their 'broadest reasonable interpretation.'" MPEP § 2111.01 at 2100-37 (Rev. 1, Feb. 2000) (quoting *In re Marosi*, 218 USPQ 289, 292 (Fed. Cir. 1983)(emphasis in original)).

Danarski is relied on to disclose security associated with a network as allegedly recited in claims 7 and 8 (see Office Action, page 4). However, even modifying Jones in view of Official Notice, and further in view of Danarski fails to disclose or suggest publishing and receiving a list of available servers to and at a remote monitor client, and providing and transmitting information about selected servers from a remote monitoring client to a protocol gateway, as recited by claims 1-44.

Accordingly, for at least all the above reasons, claims 1-44 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'William H. Bollman', is written over a horizontal line.

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